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Wrestling Entertainment, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WORLD WRESTLING
ENTERTAINMENT, INC.,

Plaintiff,

vs.

ERIC D. MOORE, ANTHONY
SIMMONS, LOUIS E. MOORE, LILLAR
R. HAYES, ANDRE OQUINN, PARIS E.
LEACRAFT, DEVON BROWN,
MITCHELL J. SLATER, TYREAK
RUSH, JOHN AND JANE DOES 1-100,
and XYZ CORPORATIONS 1-100,

Defendants.

Civ. Act. No.: 19-cv-9039-SDW-LDW

**NOTICE OF DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff World Wrestling Entertainment, Inc. (“WWE”), by and through its undersigned attorney, hereby files this Notice of Dismissal Without Prejudice and states as follows:

1. WWE commenced this action on March 28, 2019 by filing a Verified Complaint seeking relief to prevent the widespread and concerted counterfeiting activity that WWE encounters at its live wrestling events.

2. On March 29, 2019, this Court entered a Temporary Restraining Order and Seizure Order (the “TRO”) authorizing WWE to seize counterfeit merchandise at its WrestleMania® 35 event that took place on April 7 at MetLife Stadium in East Rutherford, New Jersey. Pursuant to the TRO, WWE filed an injunction bond with the Court in the amount of \$10,000.

3. Under the authority of the Court’s TRO, WWE was able to seize counterfeit merchandise and served nine (9) counterfeiters with the Verified Complaint and the TRO.

4. WWE applied for a preliminary injunction and order of seizure which was heard by the Court on April 15, 2019 at 12:00 p.m. at the United States District Court for the District of New Jersey, 50 Walnut Street, Newark, New Jersey 07101 in Courtroom 5C.

5. Despite having notice of the preliminary injunction hearing, no Defendants appeared. Thereafter, the Court issued a Preliminary Injunction and Order of Seizure of Counterfeit Goods (the “PI Order”).

6. By its terms, the PI Order expired on March 31, 2020.

7. Despite service of the Verified Complaint, none of the named defendants filed an answer or otherwise appeared in this action.

8. In addition, since entry of the Court's PI Order, WWE has enforced the Court's PI Order against counterfeiters that have appeared at its live events. Under the authority of the Court's PI Order, WWE has successfully seized counterfeit goods from counterfeiters at WWE events. However, when WWE has attempted to serve counterfeiters, those individuals have refused service of the PI Order, refused to provide contact information or have simply run off when approached.

9. Given these circumstances, it is unlikely that any of the named defendants or any other individuals will appear in this action.

10. Therefore, in the interest of judicial economy, WWE files this Notice of Dismissal Without Prejudice to refiling and dismisses its claims set forth in the Amended Complaint pursuant to Rule 41(a)(1)(A)(i).

11. WWE also requests dismissal of the aforementioned injunction bond. A proposed Order is attached.

Respectfully Submitted,

/s/ Loly G. Tor

Loly G. Tor

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Attorneys for World Wrestling Entertainment, Inc.

Dated: April 6, 2020